

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, August 3, 2004, 9:30 AM*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**THOMAS W. WILSON**  
CHAIRMAN  
Fifth District

**JAMES W. SILVA**  
VICE CHAIRMAN  
Second District

**CHARLES V. SMITH**  
SUPERVISOR  
First District

**BILL CAMPBELL**  
SUPERVISOR  
Third District

**CHRIS NORBY**  
SUPERVISOR  
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chairman Wilson presented a resolution proclaiming August 2004 as "Child Support Awareness Month"

### **II. CONSENT CALENDAR (Items 1-26)**

43125      **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 6, 9 & 26  
WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

### **DEPARTMENT APPOINTMENTS**

1.      **Health Care Agency** - CalOptima - Reappoint Ralph Cygan, MD, Orange, for term ending 9/30/07 and Jean Forbath, Costa Mesa; John Gaffney, Laguna Hills; and Mary Paul, Anaheim, for terms ending 9/30/08 - All Districts

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## COMMENDATIONS/PROCLAMATIONS

2.           **Supervisor Norby** - Adopt resolution recognizing and congratulating Cal State Fullerton Titan Baseball Team, along with Coaches George Horton, Dave Serrano, Rick Vanderhook and Chad Baum on its College World Series Championship  
*RESO: 04-194*

## CHILD SUPPORT SERVICES

3.           Authorize Director or designee to incur necessary litigation expenses as lawful charges against funds appropriated in Department's County budget; and authorize Auditor-Controller to pay necessary litigation expenses upon approval - All Districts

## HEALTH CARE AGENCY

4.           Approve amended price agreements N1000005275, 7/1/03 - 6/30/04 (\$25,000; new total \$50,000) and N2000005275, 7/1/04 - 6/30/05 (\$38,000; new total \$50,000) with County of Los Angeles, Department of Health Services/Public Health Laboratory for lab referral testing services; renewable for one additional year (\$12,000) - All Districts

## HOUSING AND COMMUNITY SERVICES DEPARTMENT

5.           Approve revised Mortgage Assistance Program to include use of settlement funds for homebuyer assistance services (\$300,000); approve amended agreement with Rancho Santa Margarita, extending term to 9/30/05; and authorize Director or designee to execute related documents and amendments under certain conditions - District 5
6.           Approve amended agreement with Vietnamese Community of Orange County, Inc. for senior non-emergency medical transportation services, extending term to 3/31/05 (\$168,171; new total \$251,911); and authorize Director or designee to execute related documents - Districts 1, 2 & 3
- 43125       **APPROVED AS RECOMMENDED**
7.           Approve agreements M1 with Orange County Business Council (\$48,000) and M2 with Godbe Research and Analysis (\$48,500) for conducting labor market research projects, 8/4/04 - 6/30/05; and authorize Director or designee to amend agreements under certain conditions - All Districts

## INTEGRATED WASTE MANAGEMENT DEPARTMENT

8.           Approve price agreement N1000006049 with Intratek Computer, Inc., for computer hardware maintenance and repair services, 8/3/04 - 3/31/05 (\$15,675.04); renewable for four additional years (\$24,012.56 per year) - All Districts

## JOHN WAYNE AIRPORT

9.           Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for Phase II structural security modifications; set review to determine continuing need for emergency action for 8/17/04, 9:30 a.m. and every 14 days thereafter - District 2 (4/5 vote) (Continued from 3/9/04, Item 46; 3/23/04, Item 10; 3/30/04, Item 13; 4/20/04, Item 12; 5/4/04, Item 6; 5/18/04, Item 10; 5/25/04, Item 19; 6/8/04, Item 16; 6/22/04, Item 5; 6/30/04, Item 5; 7/20/04, Item 13)
- 32145       **APPROVED AS RECOMMENDED**

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## RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

10. Receive and file Traffic Committee Report dated 6/14/04; approve recommendations and adopt necessary resolution - Districts 1 and 5  
*RESO: 04-195*
11. Authorize release of security for street improvements, street lights, landscaping and monumentation, Tract 15400, Brookfield Cassis Inc., Newport Coast area - District 5
12. Approve amended agreement S1203-0143 with K. Hovnanian at Skye Isle, LLC for change of ownership and substitution of security for Tract 16390, Ladera Ranch area; and authorize release of bonds provided by DMB Ladera, LLC - District 5
13. Approve plans and specifications and set bid opening for 9/8/04, 2:00 p.m., for replacement of absorption chiller, Central Utility Facility; and make California Environmental Quality Act findings - District 1
14. Adopt resolution vacating a portion of Vanderlip Avenue, North Tustin area; and make California Environmental Quality Act and other findings - District 3  
*RESO: 04-196*
15. Accept quitclaim deed from Fountain Valley for pump house building, Mile Square Regional Park - District 2
16. Approve continuation of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c) (1) for expansion of Orange County Public Law Library; authorize Director or designee to prepare and award contracts to complete work; set review for 8/17/04, 9:30 a.m., and every 14 days thereafter - District 1 (4/5 vote) (Continued from 6/29/04, Item 110; 7/20/04, Item 23)
17. Approve Parcel Map 2001-101, Carolyn J. Hormuth, Donald W. Jensen, Judith A. Opitek, and JJB Real Estate Properties, LLC, North Tustin area; accept dedication for emergency vehicle access purposes; and approve construction agreement S0504-0106 and accept bonds guaranteeing construction of improvements - District 3

## SOCIAL SERVICES AGENCY

18. Approve Memorandum of Understanding with Community Services Programs, Inc. for Sexual Assault Victim Services/Prevention Program - All Districts

## PUBLIC PROTECTION

19. **Probation** - Approve agreement with Orange County Superintendent of Schools for provision of personnel support services funded under the Juvenile Justice Crime Prevention Act, 7/1/04 - 6/30/05 (\$252,000); and make California Environmental Quality Act findings - Districts 1 & 3

### **Sheriff-Coroner:**

20. Approve amendment 7 to agreement with Rancho Santiago Community College District for General Education Development testing for inmates, extending term to 6/30/05 - All Districts

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- 21.                    Approve amendment 8 to agreement with Rancho Santiago Community College District for vocational education programs for inmates, extending term to 6/30/05 - All Districts
- 22.                    Approve amendment 7 to agreement with Rancho Santiago Community College District for continuing education classes for inmates, extending term to 6/30/05 - All Districts
- 23.                    Ratify on-line submittal of grant application to U.S. Department of Justice for 2004 Paul Coverdell Forensic Science Improvement Grant Program (\$80,000) - All Districts
- 24.                    Adopt resolution approving revised Orange County Emergency Plan - All Districts  
*RESO: 04-197*

## GENERAL ADMINISTRATION

- 25.                    **County Executive Office** - Approve Arts Orange County 2003-04 Annual Report and agreement with Arts Orange County - All Districts
- 26.                    **Registrar of Voters** - Receive and file Monthly Status Report regarding preparations for November General Election - All Districts (Continued from 7/27/04, Item 22)

23145

**RECEIVED**

END OF CONSENT CALENDAR

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## III. DISCUSSION ITEMS (Items 27-38)

### HEALTH CARE AGENCY

27.            Approve amended agreements with Orange County Association for Mental Health dba Mental Health Association of Orange County (\$393,518 decrease; new total \$1,433,545), College Community Services, Inc. (\$297,478 decrease; new total \$2,945,856) and Pacific Clinics (\$414,836 decrease; new total \$3,271,013) for adult mental health outpatient services, 7/1/04 - 6/30/05 - All Districts  
23145        **APPROVED AS RECOMMENDED**
28.            Approve agreement 04-35243 with State Department of Health Services for Pediatric Immunization Project, 7/1/04 - 6/30/05 (\$855,650) - All Districts  
15234        **APPROVED AS RECOMMENDED**
29.            Approve amendment 3 to agreement with College Health Enterprises Correctional Services, LLC for in-custody alcohol & drug treatment services, 7/1/04 - 12/31/04 (\$605,298) - All Districts  
31245        **APPROVED AS RECOMMENDED**

### HOUSING AND COMMUNITY SERVICES DEPARTMENT

30.            Approve amended agreement with Saint Anselm's Cross-Cultural Community Center, Inc. for senior non-emergency medical transportation services, extending term to 3/31/05 (\$387,237; new total \$683,474); and authorize Director or designee to execute related documents - Districts 1, 2 & 3  
12345        **APPROVED AS RECOMMENDED**

### PUBLIC PROTECTION

#### **Sheriff-Coroner:**

31.            Accept grant award from Governor's Office of Homeland Security for State Homeland Security Grant Program, FY 2004 (\$10,442,531); authorize Purchasing Agent to purchase related equipment; authorize Sheriff-Coroner to execute all related documents; and authorize Auditor-Controller to transfer equipment to other entities under certain conditions - All Districts  
31245        **APPROVED AS RECOMMENDED**
32.            Authorize submission and execution of grant application and related documents to U.S. Department of Justice for COPS Interoperable Communications Technology Program (\$2,257,125); and return to Board for final funding authorization - All Districts  
15234        **APPROVED AS RECOMMENDED**

### GENERAL ADMINISTRATION

#### **County Executive Office:**

33.            Approve Scope of Work and issuance of Request for Proposal for Sacramento Legislative Advocacy services - All Districts  
13245        **APPROVED AS RECOMMENDED**

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34.                    **Acting as the Legislative Body of Community Facilities District No. 2004-01 (Ladera Ranch)** - Second reading and adoption of "An Ordinance of the Board of Supervisors of Orange County, California, Acting in its Capacity as the Legislative Body of Community Facilities District No. 2004-1 of the County of Orange (Ladera Ranch) Authorizing the Levy of Special Taxes" - District 5 (Continued from 7/27/04, Item 39)  
51234                **APPROVED AS RECOMMENDED**  
                         *ORD: 04-012*
35.                    **Acting as the Community Facilities Districts 86-1, 2, 87-5A - 5E (Rancho Santa Margarita); 87-1 (Dimensions Business Park); 87-2 (Portola Hills); 87-3 (Mission Viejo); 87-4 (Foothill Ranch); 87-6 (Baker Ranch); 87-7 (Los Alisos); 87-8 (Coto de Caza); 87-9 (Santa Teresita); 88-1 (Aliso Viejo); 88-2 (Lomas Laguna); 99-1, 2000-1, 2001-1, 2002-1 and 2003-1 (Ladera Ranch)** - Adopt resolutions levying special taxes for Community Facilities Districts, FY 2004-05 - Districts 3 & 5  
53124                **APPROVED AS RECOMMENDED**  
                         *RESO: 04-198 - 04-219*
36.                    Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts  
B.O.                   **DISCUSSED**
37.                    **Registrar of Voters** - Approve amendment 4 to price agreement Y1000000711 with Maximus, Inc. for purchase and implementation of Direct Record Electronic Voting System (\$612,943.30; new total \$27,461,492.20); authorize Purchasing Agent to enter into a Software Licensing agreement with Pitney Bowes for Automated Balloting System, Outbound and Inbound Solution Software - All Districts  
35124                **APPROVED AS RECOMMENDED**  
                         A
38.                    **Treasurer-Tax Collector** - Adopt resolution authorizing issuance of Huntington Beach Union High School District General Obligation Bonds, Election of 2004, Series 2004 (\$185,000,000) - Districts 1 & 2  
12345                **APPROVED AS RECOMMENDED**  
                         *RESO: 04-220*

## **IV. PUBLIC HEARINGS (Item 39)**

### **RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT**

39.                    Public Hearing to consider adopting resolution approving FY 2003-04 Weed Abatement Cost Report and special assessments on identified properties - All Districts  
B.O.                   **CLOSED PUBLIC HEARING**
- 13245                **APPROVED AS RECOMMENDED**  
                         *RESO: 04-221*

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## V. CLOSED SESSION (Items CS-1-CS-4)

### GENERAL ADMINISTRATION

#### **County Counsel:**

- CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):  
Name of Case: In re Compromise of Matthew A. Mitchell, CCS Case No. 3401311
- B.O. **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF IN RE COMPROMISE OF MATTHEW A. MITCHELL, CCS CASE NO. 3401311. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF COUNTY COUNSEL TO ANYONE WHO INQUIRES.**
- CS-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):  
Number of Cases: One Case
- B.O. **HELD, NO REPORTABLE ACTION**

#### **County Executive Office:**

- CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:  
Agency Negotiator: Paul Lanning  
Property #1: 1971 Mesa Drive, APN 439-391-27  
Negotiating Parties: Mary Davis  
Property #2: 20401 Acacia, APN 439-391-02  
Negotiating Parties: Laurie Murry  
Under Negotiation: Price and terms of payment
- B.O. **DELETED**
- CS-4. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:  
Agency Negotiator: Susan Paul  
Employee Organizations: American Federation of State, County and Municipal Employees, Local 2076, Orange County Attorneys Association, Orange County Employees Association, Orange County Managers Association, International Union of Operating Engineers Local 501, Service Employees International Union Local 787, and certain unrepresented employees (Continued from 7/27/04, Item CS-3)
- B.O. **HELD, NO REPORTABLE ACTION**

## VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

### **PUBLIC COMMENTS:**

Edward Solomon - Oral Re: Request for funding assistance to host United Nations Art Exhibition at the Irvine Spectrum.

Darrell Nolta - Oral Re: 7/22/04 OCFA meeting

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## **BOARD COMMENTS:**

Supervisor Norby - Oral Re: Successful Orange County Fair

**ADJOURNED: 11:45 A.M.**

\*\*\* KEY \*\*\*

### ***Left Margin Notes***

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order

### ***Right Margin Notes***

- O. = Ordinance
- R. = Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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*THOMAS W. WILSON, CHAIRMAN*  
*Orange County Board of Supervisors*

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*DARLENE J. BLOOM*  
*Orange County Clerk of the Board*